

**Town of Underhill
Development Review Board Minutes
December 5, 2016**

Board Members Present:

Charles Van Winkle, Chairperson
Mark Green
Mark Hamelin
Penny Miller
Karen McKnight
Matt Chapek
Will Towle

Staff/Municipal Representatives Present:

Andrew Strniste, Planning Director

Others Present:

None

6:35 PM – 12/05/2016 DRB Public Comment

- DRB Members convened at Town Hall at 6:30 PM. Chair Van Winkle called the meeting to order.
- Chair Van Winkle asked for public comment. No public comments were provided.

6:36 PM – Other Business

- [6:36] Board members exchanged pleasantries prior to conducting official business.
- [6:41] Chair Van Winkle began by reviewing the minutes from October 31, 2016, which mainly concerned the Wishinski application. A brief overview of the facts was provided. Prior to voting on the minutes, Board Member Miller provided an overview of how the State of Vermont views accessory dwellings. She stated that from the State's perspective, an accessory dwelling must be clearly subordinate and not more than 30% of the principal dwelling. Furthermore, an accessory dwelling is considered either a studio or a one bedroom dwelling. Board Member Miller went on to state that a municipality has the authority to implement regulations pertaining to accessory dwellings less restrictive; however, anything more than 30%, or more than one bedroom, requires a construction permit (of a public building) from the Department of Public Safety, Fire & Safety Division. Chair Van Winkle asked for a motion to approved the minutes of October 31, 2016. Board Member McKnight made a motion to approve the minutes, which was seconded by Board Member Chapek. The motion was approved unanimously.
- [6:50] Chair Van Winkle proceeded to provide an overview of upcoming hearings. He informed the Board that a zoning violation for the Warner Creek Subdivision has been issued, and that Staff Member Strniste is expecting to receive an appeal. Chair Van Winkle provided an overview of the appeal process, and that as the clerk, Board Member Miller (with the assistance of Board Member Chapek) will assist with the distribution of materials, notice, and documents. Furthermore, Board Member Miller and Chair Van Winkle will consult with one another on determining if a site visit will be required, as well as determining a hearing date. In addition to the appeal hearing, Chair Van Winkle also informed the Board that Staff Member Strniste is expecting the following hearings in the month of February: Tomasi Sketch, Chamberlin Preliminary, and Wishinski Reconsideration.
- [7:03] Staff Member Strniste provided an update on the Burroughs subdivision inquiry from the September 19 Board meeting. He explained that his interpretation of the Regulations would allow the Board to grant PRD density bonuses, which would permit Mr. Burroughs to subdivide

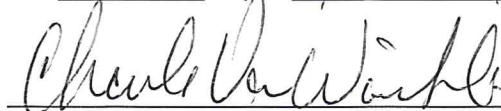
the lot into parcels. A discussion ensued about whether conventional development will prevent Mr. Burroughs in pursuing this possibility. The Board agreed that Mr. Burroughs should submit a sketch plan application proposing a PRD.

- [7:19] The Board discussed the scheduling of a joint meeting with the Planning Commission. In regards to the month of January, the Board concluded that January 18th would be the ideal day to meet. The purpose of the joint meeting would be to discussed the possible implementation of an overlay district in Underhill Center. The Board discussed the goals of the overlay district, which were to ease restrictions in Underhill Center, provide more administrative authority, and identifying certain restrictions they wished to keep (e.g. not being able to subdivide unless you had the underlying acreage requirement).
- [7:37] A discussion ensued about designating a "decision captain." Chair Van Winkle envisioned that the decision captain would be responsible for fielding and coordinating questions and inquiries, as well as addressing issues or mitigating issues as they arose during the drafting of a decision. Board Member Towle stated that he felt like most Board Members were comfortable and agreeing by proxy when a Board Member would make a determination in regards to a provision and the rest of the Board would be silent on the issue. Board Member Towle continued to discuss possible solutions on mitigating silent responders with the implementation of a deadline to respond. Staff Member Strniste and Chair Van Winkle provided a short presentation on a possible checklist the Board could use during the hearing to assist in capturing what the issues are and what conditions should be implemented. Board Member Miller stated that the checklist could help flush out the issues during the meeting, and once in deliberative session, the Board should go section by section in the checklist to make sure the they address all the issues. Staff Member Strniste stated that he tries to align his staff reports to make the drafting of the decision process easier. Chair Van Winkle added that the checklist could be used during the hearing to help isolate issues and conditions. Board Member Towle recommended that the Board use Trello, a free project management computer software, which helps organize and consolidate group ideas. He further volunteered to do a trial run using the Trello project management tool.
- [8:05] The Board moved into deliberative session.
- [8:25] The Board adjourned.

Submitted by:

Andrew Strniste, Planning Director & Zoning Administrator

These minutes of the December 5, 2016 meeting of the DRB were accepted
this 20 day of February, 2017.



Charles Van Winkle, Chairperson

These minutes are subject to correction by the Underhill Development Review Board. Changes, if any, will be recorded in the Final meeting minutes of the meeting of the DRB.